

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

207

CRM-M-16385-2023

Date of decision: 02.05.2023

KULDEEP SINGH @ DEEPU

....Petitioner(s)

Versus**STATE OF PUNJAB**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. K. S. Brar, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY. J.

On 10.04.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.166 dated 20.11.2022, registered under Sections 323, 452, 427, 379-B, 506, 148 and 149 of the IPC at Police Station Kot Ise Khan District Moga.

Learned counsel contends that the FIR is a result of the dispute between the brother-in-law of petitioner and the complainant party, who are inhabitants of the same area, whereas the petitioner resides in District Jalandhar. He had no role to play in the occurrence as alleged in the FIR. His involvement and that of his wife and parents is only on account of their relationship with the inlaws family. The brother-in-law of the petitioner, who is co-accused, and attributed the injury has already been granted interim anticipatory bail by this Court vide order dated 17.03.2023, Annexure P-2. The petitioner is ready

and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 18.04.2023. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 02.05.2023. ”

Learned counsel submits that in pursuance of the above order, the petitioner has not only joined investigation, but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

Learned State counsel on instructions from ASI Resham Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 10.04.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.

However, it is made clear that if the petitioner fails to join and cooperate with the investigation agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

02.05.2023
Mehak

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>